IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1899 OF 2006

Kalyan Bhanudas Gaikwad. ..Applicant.
Vs.
The State of Maharashtra. ..Respondent.

Mr.M.A.Choudhary for the Applicant.
Mr.P.S.Hingorani, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 14/6/2006.

P.C.

1. Heard both sides.

2. The applicant along with two other accused are shown as an accused in C.R.No.15/2006 registered by Sangola Police Station for alleged offence under Section 302 read with 34 of the I.P.C. It is sought to be argued that no role is attributed by any witness to the present applicant. Only allegation against the present applicant is that he was standing with iron rod.. It is contended that when this applicant has made earlier application for bail, the said application was rejected on 25.4.2006 by holding that the present applicant inflicted blow according to the eye witnesses on the skull of the deceased. In the earlier order, it is noted that the accused is assaulted by the deceased with

a stone by Vijay alias Kalyan. It is admitted position that the Vijay is not @ Kalyan but @ Pintya. The earlier order seems to have been passed on some misapprehension that Vijay & Kalyan were the same and the earlier bail application was rejected. Taking an over all view of the matter, it is directed that the present applicant may be released on bail in the sum of Rs.10,000/- with one surety in the like amount subject to the condition that he will not enter into the jurisdiction of Sangola Police Station, Dist. Solapur till the disposal of the trial. The applicant to give his fresh address to the Investigating Officer. He should not tamper with the evidence or threaten the witnesses. The trial court will not be influenced by any observations made in this order.

3. Application is disposed of.

(R. S. MOHITE, J.)